



MEETING MINUTES

BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

Regular Meetings: The First,
Second, and Third Tuesday
of each month

Regular Meeting

County Courthouse,
Bridgeport, CA 93517

June 9, 2009

9:00 AM Meeting Called to Order by Chairman Reid

Pledge of Allegiance led by David Wilbrecht, CAO

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

BOARD MEMBER REPORTS

The Board deferred reports to next week.

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report regarding Board Assignments (David Wilbrecht)
Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

David Wilbrecht:

1. Held department head status meetings last week.
2. Met with John Vereuck about the Town's budget.
3. The Agenda Review Committee is operating smoothly.
4. Met with Supervisor Bauer to discuss single family rentals in June Lake; will bring this to the Board next week.

- 2) APPROVAL OF MINUTES

M09-121 Approve minutes of the regular meeting held May 19, 2009.
Hazard/Hunt, 5-0

Closed Session: 9:02 a.m.
Break: 9:57 a.m.
Reconvened: 10:05 a.m.
Break: 11:27 a.m.
Reconvened: 11:39 a.m.
Break for Lunch: 12:58 p.m.
Reconvened: 2:02 p.m.
Closed Session: 2:02 p.m.
Reconvened: 2:30 p.m.
Adjourned: 2:41 p.m.

CLOSED SESSION

Report out of closed session: None.

HUMAN RESOURCES

- 3a) Conference with Labor Negotiators - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): David Wilbrecht, Marshall Rudolph, Brian Muir, and Robert Garret. Unrepresented employee(s): Deputy District Attorney I.

COUNTY COUNSEL

- 4a) Closed Session - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one.
- 4b) Closed session re real property negotiations - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: APNs: 0237002 and 0236128. Agency negotiators: Dave Wilbrecht, Marshall Rudolph, Brian Muir, and Mark Mikulicich. Negotiating parties: Mono County and the Antelope Valley Fire Protection District. Under negotiation: price and terms of payment.
- 4c) Closed Session--Conference with Real Property Negotiators - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: 106390 Highway 395, Walker, CA (APN: 02-140-33). Agency negotiators: Kelly Garcia, Dave Wilbrecht, Marshall Rudolph, and Brian Muir. Negotiating parties: Mono County and Lyn Norberg. Under negotiation: price and terms of payment.

DEPARTMENT REPORTS/EMERGING ISSUES

Sheriff Scholl: 1) A fan in the air conditioning unit on the administration building started a fire yesterday. The fire was put out quickly and the fan motor will be replaced. 2) Yesterday the Sheriff swore in Deputy David Brown, who has 26 years of experience and most recently worked for Alpine County. He is currently assigned to work in the north end of the County. 3) The jail roof project is moving forward; the state fire marshal will inspect plans prior to approval.

Evan Nikirk: Distributed an updated organizational chart and a list outlining areas of responsibility.

Joe Blanchard: Provided an update about facilities projects that have been completed. Board members expressed their appreciation for the work that has been done.

Jeff Walters: 1) Distributed copies of a certificate of compliance from California Environmental Protection Agency Air Resources Board. 2) Reviewed speed control issues in Convict Lake, Mono City and Twin Lakes; problems will be resolved soon. 3) Brett Curry was recently hired as the new road shop supervisor.

Brian Muir: Budget workshops will be scheduled for August 24-26. Approval of the budget is tentatively scheduled for September 1st; however, the Board can take more time if necessary to consider the budget prior to approval. The Board agreed with this schedule.

Ed Zylman: Provided an update about the Mono County Senior Citizens Program (formerly IMAAA). All available funding for this program will not be spent this year since the department is still determining the level of service to provide. In order to maximize the effectiveness of the program, Zylman needs to 1) reclassify a program operator to a program manager, and 2) hire an assistant cook/driver. Asked the board to address these personnel requests prior to the budget cycle. The Board agreed to agendaize this item.

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

HUMAN RESOURCES

- 5a) Hiring of Claude Scott Fiddler as Parks and Facilities Supervisor above Step A - Receive staff report and approve hiring of Claude Scott Fiddler on Step B of the Parks and Facilities Supervisor Salary Range.

M09-122 **Action:** Approve the hiring of Claude Scott Fiddler at Step B of the Parks and Facilities Supervisor Salary Range.
Hunt/Hazard, 5-0

COUNTY COUNSEL

Additional Departments: Finance

- 6a) TRAN request - Requests by the Eastern Sierra Unified School District and the Mammoth Unified School District for the County to issue Tax and Revenue Anticipation Notes (TRANs) on behalf of the Districts.

M09-123 **Action:** Decline said requests so that the Districts may proceed to issue TRANs on their own behalfs (as they desire).
Hunt/Hazard, 5-0

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

CLERK-RECORDER

7a) ***Correspondence Addressed to the Board - No correspondence.***

COUNTY ADMINISTRATIVE OFFICE

8a) CDBG Annual Public Hearing (**Mary Booher**) - Conduct public hearing to receive input regarding annual CDBG grant applications. Receive staff report.

M09-124 Action: In the General Allocation Application, request \$600,000 for a housing combination program and \$200,000 for ADA compliance at Memorial Hall.
Hazard/Farnetti, 5-0

Mary Booher: Grants should be opening up in the next 3-4 weeks; this hearing is part of the grant process. PowerPoint presentation outlined the following:

- HUD National Objectives
- Targeted Income Group
- Planning/Technical Assistance Grants (Economic Development, General Allocation)
- General Allocation Application
- Two Questions for consideration: 1) which general allocation application to apply for, and 2) should the grant previously designated for Walker be switched to Benton
- Deadline for General Allocation Application is July 14; requires one more public hearing
- There are a variety of options for the General Allocation Application, such as funding a project and housing combination program, funding a project and a single housing program, or funding two projects. Project requests need to be specific; the housing combination allows more flexibility.

Supervisor Hunt: Email from Pam Hennarty, Mammoth Lakes Housing, specifies a need for funding for housing rehabilitation.

Chairman Reid opened the public hearing.

- Scott Burns: The housing element update process includes a housing condition survey. This might support the request for funding for housing rehabilitation.
- No one else spoke.

Chairman Reid closed the public hearing.

Board Discussion

The Board agreed to designate the Planning and Technical Assistance Grant for Walker Community Center since the Board previously approved a \$200,000 allocation for the EMS station in Hammil Valley; this will be memorialized during the budget process. There are also other allocations in the County's budget that may provide a source of funding.

- David Wilbrecht: This suggestion fits well with the overall strategy for facilities.
- Mary Booher: A public meeting will be required in one of the affected communities.

Supervisors Farnetti and Bauer: Would like to see funds used for housing rehabilitation and homebuyer assistance. Supervisor Hazard: There is a need for fireplace replacements due to air quality issues.

BOARD OF SUPERVISORS

- 9a) Bodie and Mono Lake State Parks (**Board Members**) - At their June 2, 2009, meeting, the Board of Supervisors added an urgency item to the agenda in order to address the proposed closure of Bodie and Mono Lake State Parks. The Board took immediate action by approving a letter urging the state to keep these parks open. The Board asked to have this item agendaized for further discussion.

Action: Direct staff to send a letter to Senator Cox and Assemblyman Berryhill urging the state to keep Bodie and Mono Lake State Parks open. Asked for a placeholder to be included on the next agenda should the Board need to discuss this item.

Board Discussion

- Chairman Reid: Spoke with someone at RCRC who was a past state parks director. RCRC is taking a wait-and-see approach at this time, and is optimistic that closures will not occur. Regarding strategies to support keeping the local state parks open, the contact at RCRC suggested proposing increased fees and/or quantifying what closures would do financially to the local community. Reid asked Geoff McQuilkin to keep the Board informed about this issue.
- Supervisor Bauer: There seems to be a better understanding at the state level about costs to keep parks open not being as high as originally thought; also, parks generate income.
- Supervisors Hazard and Hunt: At this point, would like to see where the process leads and see how the big picture unfolds before committing to firm action.
- Supervisor Farnetti: Ultimately the Board of Supervisors won't make the final decision. It is important to be proactive and let legislators know the County supports the parks.

Geoff McQuilkin: Attended the Budget Conference Committee meeting last week in Sacramento; many people expressed concern about closure of state parks. Hearing from the public and concerned entities does help. McQuilkin delivered the County's letter so it is on record; other rural counties also expressed concern about the impact closures would have on local businesses. The budget committee will now make recommendations to the legislature.

Jimmy Little: Mono County depends on tourism, and depends on a lot of other agencies for this industry to survive. It is important for the County to be proactive and develop relationships with stakeholders. Locally, there has already been a negative impact because of the threat of park closures.

HEALTH DEPARTMENT

- 10a) Local Enforcement Agency (LEA) Grant Program Application for EA 20 Cycle (**Louis Molina**) - Consider and potentially authorize Louis Molina, LEA Manager, to submit the LEA Grant Application (EA 20 (FY 2009/10)) and to execute application, agreements, amendments, requests for payment and all

grant documents necessary to secure grant funds and implement the approved Grant Project. Receive staff report. Provide any desired direction to staff.

- M09-125** **Action:** Authorize Louis Molina, LEA Manager, to submit the LEA Grant Application (EA 20 (FY 2009/10)) and to execute application, agreements, amendments, requests for payment and all grant documents necessary to secure grant funds and implement the approved Grant Project.
Hazard/Hunt, 5-0

Louis Molina: This is the annual LEA grant through the California Integrated Waste Management Board. The grant amount will be about \$16,625; grant amounts seem to be decreasing year to year. Molina needs the Board's approval so he can accept and manage the grant.

- 10b) Mono County Children's Medical Services (CMS) Plan Fiscal Year 2008-2009 (**Lynda Salcido**) - Receive presentation by Lynda Salcido, Public Health Director, and Hillary Bayliss, Children's Medical Services Director, regarding Mono County Children's Medical Services (CMS) Plan for fiscal year 2008-2009. Consider and potentially approve and authorize Chairman to sign the Plan for fiscal year 2008-2009. Provide any desired direction to staff.

- M09-126** **Action:** Approve and authorize Chairman to sign the Mono County Children's Medical Services (CMS) Plan for fiscal year 2008-2009.
Hunt/Hazard, 5-0

Lynda Salcido: Requesting Board approval and Chair's signature on the Children's Medical Services Plan for FY 2008-09. Programs provide a variety of services for children, including basic medical services and assistance with life-threatening conditions. Mono County does a good job assisting families with obtaining needed services. At this time, Salcido does not know about funding for next year; there is a question about whether or not programs will be eliminated. The scope of work will be reduced if a program is drastically underfunded.

Additional Departments: County Counsel

- 10c) Ordinance restricting construction of wells within designated public water systems (**Louis Molina, Allen Berrey**) - Consider and potentially introduce, read title, and waive further reading of proposed ordinance entitled "An Ordinance of the Mono County Board of Supervisors adding two sections to Chapter 7.36 of the Mono County Code to Prohibit the Construction of Wells within the boundaries or service areas of designated public water systems," and direct clerk to schedule said ordinance for adoption at the Board's next regular meeting. Receive staff report. Provide any desired direction to staff.

Action: Direct staff to clarify language in sections of the ordinance and more specifically address the citizen appeal process.

Allen Berrey: This item is a follow-up to Board direction to return with a well ordinance that can be applied specifically in particular communities. Per previous Board direction, Berrey made changes to the title, the second to last whereas, and the section addressing the designation of a public water system; he also added language requiring a one year waiting period between requests from the same water board.

Board Discussion

- Supervisor Bauer: Thanked staff for their hard work.
- Supervisor Hazard: Asked for a more specific provision pertaining to a citizen appeal process; the process needs to retain flexibility for the citizen. Berrey: There is an appeal process in the ordinance, but Berrey can make the process more specific and propose a variety of standards for the Board to consider. Berrey will revise the ordinance accordingly as discussed and reintroduce it at a future meeting.
- Chairman Reid: Pointed out language in the ordinance that needs to be clarified. He suggested the Board consider making the ordinance specific to June Lake since this is the problem area in the County.
- Supervisor Farnetti: Agrees with the concept of the ordinance because private wells do impact everyone's water. The appeal process needs to be workable and fair for everyone, with an appropriate balance so the Board of Supervisors is not caught in the middle.
- Supervisor Hunt: The advantage of the proposed ordinance is that each community can decide what they want.

PUBLIC WORKS

- 11a) Authorization to Conduct a Public Auction of Surplus Equipment (**Evan Nikirk or Jeff Walters**) - Consider and potentially authorize Public Works to conduct a public auction to dispose of excess and/or unneeded County property. Provide any desired direction to staff.

R09-34 Action: Authorize the Chair's signature on **Resolution R09-34**, "A Resolution of the Mono County Board of Supervisors Authorizing a Public Auction to Dispose of Excess and/or Unneeded County Property". Exclude items 15, 16, and 28 on the surplus vehicle list; find another mechanism to sell item 28.
Farnetti/Hazard, 5-0

Evan Nikirk: Since the last sale 20 months ago, the County has accumulated a lot of surplus property. Nikirk's goal is to conduct a sale annually. Ground rules for conducting the sale are specified in the notice, and public agencies are allowed to obtain property for a minimal cost. The mileage on the vehicles is over 100,000+ miles. Nikirk suggested the Board pull items 15, 16 and 28 off the surplus vehicle list and dispose of them differently. Vehicles 15 and 16 belong to another agency that needs to determine they are surplus before having the County dispose of them. Nikirk suggested that vehicle 28 be auctioned differently since, by doing so, the County may get a better deal.

- 11b) Temporary Road Closures for, and Assistance with, the Bridgeport Fourth of July Celebration (**Jeff Walters**) - Receive staff report regarding a request for Public Works assistance to close roads and set-up and dismantle facilities

necessary for the 147th annual Bridgeport Fourth of July celebration. Consider and potentially adopt resolutions authorizing such action. Provide any desired direction to staff.

R09-35 Action: Adopt **Resolution R09-35**, "A Resolution of the Mono County Board of Supervisors Authorizing the Temporary Closure of Roads in Bridgeport and the Temporary Detour of Traffic onto Roads in Bridgeport from State Highway 395 for the 147th Annual Bridgeport Fourth of July Celebration."
Bauer/Hazard, 5-0

R09-36 Action: Adopt **Resolution R09-36**, "A Resolution of the Mono County Board of Supervisors Authorizing the Department of Public Works to Assist with Setting Up and Disassembling Facilities Associated with the 147th Annual Bridgeport Fourth of July Celebration."
Hunt/Bauer, 5-0

Jeff Walters: These two resolutions will accommodate the upcoming July 4th celebration in Bridgeport. The cost to Public Works has historically been about \$12,000 to \$15,000 dollars. The first resolution addresses temporary road closures that include School Street and Bryant Street; the second resolution allows for a variety of assistance such as cleaning School and Bryant Streets, setting up the sound system and picnic tables, trash clean up, and parking control.

Supervisor Farnetti: Suggested that tourism funds be used to subsidize the cost rather than road funds (since road funds are heavily impacted). Brian Muir: The Board gives a large general fund contribution to the road fund, so for all practical purposes it is general fund money.

ADJOURN: 2:41 p.m.

§§§§§